

**REMARKS**

Claims 1-19 are currently pending. Claims 1-3, 6-13 and 16-18 have been amended. New claim 19 has been added. Claim 17 has been amended to better reflect the intended subject matter and for readability, and these changes are not intended to narrow the scope of the claim. The other claim changes are for improving readability and/or for broadening certain limitations, and are not intended to be related to patentability or to narrow the scope of the claims. The specification has been amended to correct typographical errors, for readability, and to provide explicit support for certain claim language. The Examiner's implicit indication of allowable subject matter in claims 1-18 by not detailing a prior art rejection is acknowledged with appreciation. Reconsideration of this application is respectfully requested.

Request for Acknowledgement of Third IDS filed July 25, 2002

Applicants did not receive an examiner-initialed copy of the PTO-1449 form submitted with the Third Information Disclosure Statement (IDS) on July 25, 2002. For the Examiner's convenience, copies of the Third IDS and PTO-1449 form are enclosed herewith, along with a copy of a postcard date-stamped by the U.S. Patent and Trademark Office acknowledging receipt of the same. Applicants request that an examiner-initialed copy of the PTO-1449 form be returned to the undersigned indicating that the document listed thereon has been considered and made of record.

35 U.S.C. 112, First Paragraph, Rejection

Claims 1-4, 6-9, 11, 13 and 15-18 were rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Office alleged that these claims contain subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors had possession of the claimed invention at the time the application was filed. This rejection is respectfully traversed.

Applicants respectfully submit that the rejected claims are fully supported by the disclosure of the application, and respectfully point out that the original claims are part of the original disclosure. In some instances (e.g., claim 1), the Office appears to be attempting to improperly limit the scope of the claimed subject matter to a disclosed embodiment. Applicants respectfully submit that the disclosed embodiments are exemplary in nature and that the claimed subject matter should not be construed as being limited to the disclosed embodiments. Nevertheless, in an effort to expedite prosecution, Applicants submit the following comments to assist the Examiners review.

With regard to claims 1, 3 and 4, the Examiner has alleged that the disclosure does not support the claims because specification discloses the CCD sensor as one contraction type CCD sensor, not as three independent sensors. Claim 1 recites, *inter alia*, a first sensor and a second sensor, and claim 3 recites, *inter alia*, a third sensor. Applicants respectfully direct the Examiner's attention to Figures 10 and 31 of the present application and to page 1, line 29 through page 2, line 5, and to page 49, lines 6-14, which describe an exemplary sensor in the form of a contraction type

color CCD sensor. As noted therein, a contraction type color CCD sensor can have red, blue and green element arrays arranged in parallel in a primary scanning direction and separated by a predetermined pitch in a secondary scanning direction. The description of the contraction type color CCD sensor is exemplary in nature. In an exemplary embodiment, the first, second and third sensors recited in claims 1 and 3 can be the red, blue and green element arrays of a color CCD sensor, but the claims are not limited to that exemplary embodiment. By describing an exemplary embodiment of the claimed subject matter, to which the claims are not limited, Applicants have fully complied with the written description requirement.

With regard to claim 2, the Examiner has alleged that the disclosure does not provide support for the claimed "changing means" and "control portion". The changing means recited in claim 2 has been deleted, thus broadening the claim. The selector 32 described at page 19, line 28 et seq. (see also Fig. 2, and page 16, line 13 – page 18, line 22) is a non-limiting example of the recited control portion.

Similarly, the other claims are amply supported by the disclosure. In this regard, in an effort to expedite prosecution, the Examiner's attention is directed to the following sections of the description for discussions of selected examples of subject matter recited in the claims. The noted sections should not be construed as being the only disclosed examples of claimed subject matter. Also, Applicants emphasize that claimed subject matter should not be construed as being limited to these examples or other disclosed examples; rather, these sections are being pointed out simply to assist the Examiner's review.

For example, with regard to claim 6, the Examiner is directed to page 19, line 28 et seq. With regard to claim 7, the Examiner is directed to page 40, line 9 et seq.

With regard to the Examiner's comments about claim 8 (which Applicants understand to mean claim 9), the Examiner is directed to page 45, line 30 et seq. (claim 9 has been amended for readability). With regard to the Examiner's comments about claim 9 (which Applicants understand to mean claim 10), the Examiner is directed to page 42, line 15 et seq. With regard to claim 11, the Examiner is directed to page 29, line 20 et seq. With regard to claim 13, the Examiner is directed to page 53, line 22 et seq., page 54, line 24 et seq., and page 60, line 15 et seq. With regard to claim 15, the Examiner is directed to page 61, line 10 et seq. With regard to claim 16, the language noted by the Examiner has been added to the description at page 58 to provide antecedent basis, the amendment being proper because the claims are part of the original disclosure. With regard to claim 17, the Examiner is directed to page 58, line lines 11-18. With regard to claim 18, the Examiner is directed to page 59, line 17 et seq.

New claim 19 has been added herein, support for which may be found, for example, at page 58, lines 11-18. Claim 19 should not be construed as being limited to the exemplary subject matter disclosed in the cited section.

In view of the above, Applicants respectfully request withdrawal of the rejection and allowance of the present application. Should there be any questions in connection with the application, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: June 28, 2004

By: \_\_\_\_\_



Douglas H. Pearson  
Registration No. 47,851

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620